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11 UNITED STATES DISTRICT COURT
12 FOR DISTRICT OF NORTHERN CALIFORNIA

13 YUGUI CAI

14 Plaintiff,

15 v.

16 FISHI CAFÉ, INC., AA CAFÉ, INC, YANG-
17 KEE CORP. (DBA YUNG KEE BBQ
18 RESTAURANT), YING TSAI LIN, LILY LIU,
19 YEN CHENG LIN, YUEH YING CHENG,
20 GREAT CHINA INVESTMENT REALTY
21 CORP. & DOES 1-10

22 Defendants.

Case No. 05-03175 EDL

STIPULATION FOR EXTENSION TO
COMPLETE ADR AND
CONTINUANCE OF FEBRUARY 27,
2007 FURTHER CASE MANAGEMENT
CONFERENCE; ORDER AS MODIFIED

Trial Date: October 29, 2007

23 Pursuant to Local Rule 6-2, Plaintiff Yugui Cai and Defendants AA Café, Inc., Lily Liu,
24 Yen Cheng Lin, and Great China Investment Realty, through their respective attorneys, hereby
25 stipulate as follows:

26 WHEREAS at the Further Case Management Conference that took place on November 14,
27 2006, the parties agreed to participate in the Court's ADR Program and the matter was assigned to
28 the Program on an expedited basis.

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1 WHEREAS Daniel Bowling, a staff lawyer with the ADR Program, was subsequently
2 appointed as the parties' mediator on November 22, 2006.

3 WHEREAS the parties conducted a telephone conference with Mr. Bowling on December
4 15, 2006 at which time the parties schedule their mediation to take place on February 13, 2007.

5 WHEREAS Mr. Bowling notified the parties on February 6, 2007 that a schedule conflict
6 had arisen that necessitated the continuance of the parties' mediation.

7 WHEREAS the parties have rescheduled the mediation to take place on March 7, 2007.

8 WHEREAS ADR Local Rule 6-4(b) requires that the mediation take place within 90 days
9 of the date of the entry of the order referring the matter to the ADR Program (in this case the
10 mediation must be completed by February 26, 2007).

11 WHEREAS the March 7, 2007 falls beyond the period in which the parties' mediation
12 must take place.

13 WHEREAS there is a Further Case Management Conference scheduled to take place on
14 February 27, 2007.

15 WHEREAS the previous time modifications in this case include the following: On October
16 10, 2006, the parties filed a stipulation for extension of time for Defendants to file a responsive
17 pleading.

18 WHEREAS the non-discovery cutoff date is set on March 16, 2007.

19 IT IS HEREBY STIPULATED that the time within which to complete the parties'
20 mediation shall be extended to March 13, 2007. It is further stipulated that given the pending
21 mediation, the non-expert discovery cutoff shall be extended for 30 days from March 16, 2007 to
22 April 16, 2007, while all other dates in the Court's scheduling order shall remain unchanged. It is
23 also stipulated that the Further Case Management Conference set for February 27, 2007 be
24 continued to March 20, 2007 at 10:00 a.m. Good cause exists for the requested extension of time
25 to complete the parties' mediation because the parties had previously agreed to a mediation before
26 the expiration of the existing ADR deadline but that date needed to be rescheduled due to a last
27 minute scheduling conflict by the assigned mediator and the first available date that worked for all
28 parties is March 7, 2007. Good cause also exists to continue March 16, 2007 non-expert discovery

cutoff date and parties' February 27, 2007 Further Case Management Conference because if the parties are able to resolve their dispute during their mediation, that would vitiate the need for any further discovery and such conference.

Dated: February 13, 2007

DAL BON & WANG

By: /S/ _____
ADAM WANG
Attorneys for Plaintiff

Dated: February 13, 2007

DILLINGHAM & MURPHY

By: /S/ _____
MARK J. ROGERS
Attorneys for Defendants AA Café, Inc., Lily Liu,
Yen Cheng Lin and Great China Investment Realty

The further case management conference set for February 27, 2007 is continued to March 20, 2007
at **4:00 p.m.**
IT IS SO ORDERED.

Dated: February 15, 2007

ELIZABETH D. LAPORTE
United States Magistrate Judge

